

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Northwell Health, Inc.,

Plaintiff,

vs.

Blue Cross and Blue
Shield of Massachusetts, Inc.,

Defendant.

Case No. 2:23-cv-00977-JMA-AYS

**NOTICE OF DEFENDANT BLUE CROSS AND BLUE SHIELD OF
MASSACHUSETTS, INC.'S MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that as soon as it may be heard, in the courtroom of the Honorable Joan M. Azrack, at the United States Courthouse for the Eastern District of New York, located at 100 Federal Plaza, Central Islip, New York 11722, Defendant Blue Cross and Blue Shield of Massachusetts, Inc. ("BCBSMA") hereby moves this Court for an order dismissing Plaintiff Northwell Health, Inc.'s First Amended Complaint against BCBSMA for failure to state a claim under Federal Rule of Civil Procedure Rule 12(b)(6). BCBSMA's motion is based on this Notice of Motion, BCBSMA's Memorandum in Support of its Motion to Dismiss Plaintiff's First Amended Complaint, the Declaration of Samuel Kadosh in support of BCBSMA's declaration and its annexed exhibits, any arguments of counsel, and any other such materials properly considered by the Court at any hearing on this motion.

DATED: August 29, 2023

Respectfully submitted,

/s/ Samuel Kadosh

Samuel Kadosh

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